

A **61 year old male** employee was **struck by a tree limb** while manually felling a tree.

Employees were working at the site to cut/top trees using both manual and mechanical means. At the time of the accident, the victim was manually cutting down a poplar tree that was approximately 95 ft tall. It was located 40 ft away from a hickory tree. When the poplar tree fell it appeared to strike the hickory tree. During the fall, several limbs of the poplar tree broke off and shot towards the victim striking him in the head. It was learned that a poplar tree is not as durable as a hickory, which is what caused the poplar limbs to break off when it contacted the hickory tree.

Another employee noticed the victim's chainsaw on the ground while still running. He turned the chainsaw off, and in doing so, saw the victim laying on the ground with a limb across his chest. The victim also had injuries to the left side of his head near his ear.

It was determined that all employees were wearing the required PPE; cut resistant leg protection, hard hat, eye protection, ear protection, steel toe shoes, and gloves.

Based on information obtained during the inspection, it appears that an evaluation of the location of trees around the poplar tree being felled & the condition of the trees, including the poplar tree, were not evaluated so that measures could be taken to prevent a hazardous condition of the limbs potentially breaking off the poplar tree during the felling operation.

Other violations for lack of FA/CPR training, BBP program & training, and Haz Com violations were cited.

**Citation(s) as Originally Issued**

A complete inspection was conducted at the accident scene. Some of the items cited may not directly relate to the fatality.

**Citation 1 Item 1**

**Type of Violation: Serious**

**\$4000**

**29 CFR 1910.266(h)(2)(ii):** Before each tree is felled, conditions such as, but not limited to, snow and ice accumulation, the wind, the lean of tree, dead limbs, and the location of other trees, was not evaluated by the feller and precautions taken so a hazard is not created for an employee.

In that the location & condition of trees around the poplar tree being felled were not evaluated & measures were not taken to prevent a hazardous condition. An employee was fatally injured

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when the poplar tree he was felling struck the limbs of a hickory tree causing limbs to break off and strike the employee.

**Citation 1 Item 2 a**                      **Type of Violation: Serious**                      **\$800**

**29 CFR 1910.266(i)(7)(i):** The employer did not assure that each employee received First-Aid/CPR training meeting at least the requirements specified in appendix B.

In that only one of the employees on site had been trained FA/CPR.

**Citation 1 Item 2 b**                      **Type of Violation: Serious**                      **\$0**

**29 CFR 1910.266 (i)(7)(ii):** The employer did not assure that each employee's First-Aid and CPR training and/or certificate of training remain current.

In that the Foreman at the jobsite did not have a valid/current certification in First Aid.

**Citation 1 Item 3 a**                      **Type of Violation: Serious**                      **\$600**

**29 CFR 1910.1030(c)(1)(i):** The employer having employee(s) with occupational exposure did not establish a written Exposure Control Plan designed to eliminate or immunize employee exposure.

In that an exposure control plan had not been developed and implemented for the employee designated to render first aid.

**Citation 1 Item 3 b**                      **Type of Violation: Serious**                      **\$0**

**29 CFR 1910.1030(g)(2)(ii)(A):** The employer did not train each employee with occupational exposure at the time of the initial assignment to task where occupational exposure may take place.

In that an employee designated to administer first aid had not received initial Bloodborne Pathogens training.

**Citation 2 Item 1 a**                      **Type of Violation: Other-than-Serious**                      **\$100**

**29 CFR 1910.1200(h)(1):** Employees were not provided effective information and training on hazardous chemicals or materials in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work area:

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In that a Hazardous Communication Program had not been implemented to address chemicals employees are exposed to such as, but not limited to; 2 cycle engine oil, diesel, multipurpose grease, brake fluid, and gasoline.

**Citation 2 Item 1 b**                      **Type of Violation: Other-than-Serious**      **\$0**

**29 CFR 1910.1200(g)(8):** The employer did not ensure that safety data sheets were readily accessible to the employees in their work area during each shift for chemicals used:

In that Safety Data Sheets (SDS) were not available at the site for all chemicals that employees were exposed to such as, but not limited to, 2 cycle engine oil, diesel, multipurpose grease, brake fluid, and gasoline.



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